

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.	:	10/658,246	Confirmation No.	4125
Applicant	:	Zizzi		
Filed	:	09/08/2003		
TC/A.U.	:	2132		
Examiner	:	Darrow		
Docket No.	:	M000-P03098US		
Customer No.	:	33356		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Declaration of Christopher W. Mahne**

1. I, Christopher W. Mahne, am President of MAZ Technologies, Inc. (MAZ). I have a B.S. degree in Management from Cornell University and have completed the Art of Venturing: Entrepreneurship in Corporate and Independent Settings Program at the Kellogg Graduate School of Management. I have been involved with arranging debt and equity financing for many different business ventures along with launching numerous sales and marketing campaigns since graduating Cornell in 1988. I am a driven, detailed-oriented, self-starter, with practical business and early start up experience in a multitude of many different business facets. My business experience runs the gamut from, software, Internet, information services, gaming, healthcare, sports and music marketing, product creation, design, development and launch; both domestic and international. My curriculum vitae is attached as Exhibit M-1.
2. IntelliGard E operated as a plug-in to the PC DOCS EDMS (Electronic Document Management System) through custom designed relational database tables and programming hooks in the form of an events application program interface (API).
3. I have reviewed Exhibits Z-2, Z-11, Z-24 to the Zizzi Dec. and affirm that they were in existence by August 1997. I have reviewed Exhibits Z-13, Z-16, Z-21, Z-22, Z-23 to the Zizzi Dec. and affirm that they were in existence by late August 1997. Exhibit Z-19 to the Zizzi Dec. has a

copyright date of 1998, but was largely in existence and accurately describes the August 1997 version of IntelliGard E.

4. When MAZ developed IntelliGard E, use of smart cards with PCs was well known within the security market. A PC would have a smart card reader, and smart cards could be inserted into the smart card reader so that data could be read from and written to the smart cards. With IntelliGard E, the smart cards were sectioned into a memory stack area that was used as a key table. The key table had key names and corresponding encryption/decryption key values.
5. In the version of IntelliGard E which we installed, demonstrated and sold to Lyon & Lyon by August 1997, we embedded macros in a MS Word document template. The macros created a new set of file “open”, “save” and “save as” command “buttons” in the users application. Clicking on these command keys would call a function written in VBA (Visual Basic for Applications) that would translate the command into programming events. This method ultimately proved to be slow and carried a lot of software overhead. MAZ eventually replaced the VBA subsystem with another. The VBA code no longer exists, but the flow chart in Exhibit Z-27 accurately reflects the processes of that VBA code. Since we replaced the VBA subsystem within a few months after we first used it, retaining a copy was unimportant at the time, especially given that MAZ was a small company with considerably larger issues to face.
13. By May, 1996, I recall that Zizzi completed designs for the software which eventually became the IntelliGard E Series product, including its features of transparent encryption and decryption. I remember that the design called for document-level encryption, so that keys were directly associated with documents. This was an important feature, because assigning keys at a high level, such as to the whole hard drive or to individual directories, would not provide enough protection to justify purchase, installation or use of the product. Zizzi explained to me that the Windows 3.1 operating system lacked features which the product would need, but that a newly released version of Windows 95 had the features and stability to support the product.
23. Zizzi explained to me his concept would be possible, despite limitations in Windows 3.1 and Windows 95, if we added a new table to the existing the PC DOCS EDMS database, and had the IntelliGard software cooperate with the PC DOCS EDMS control over a user’s documents. The new fields, he explained, were for the document name and the key name. Zizzi’s design also


called for obtaining the keys themselves from a table in a smart card attached to the user's PC. Zizzi explained to me and others at MAZ that IntelliGard would integrate with the PC DOCS EDMS, and when a document in the PC DOCS EDMS repository was opened, closed or saved, IntelliGard would determine if the document should be encrypted or decrypted by accessing the PC DOCS EDMS database. Zizzi further explained to me and others at MAZ that IntelliGard would grab the key name for the document from the PC DOCS EDMS database, then look up the corresponding key in the table in the smart card. MAZ eventually released that product as IntelliGard E, where "E" stood for "Enterprise".

27. Once PC DOCS realized the value that our software would provide security at the file level and that our software was technology/algorithm agnostic they enticed us to upgrade our Basic Developer status to Master Developer because they saw that the IntelliGard E Series would allow their users to interface with any security technology available, and that they only needed to develop with our software. The June 1997 invoice for the upgrade to PC DOCS Master Developer Program is attached as Exhibit M-11. Our June 1997 cover letter and a check for the upgrade are attached as Exhibit M-12. PC DOCS spent considerable resources accommodating Zizzi's IntelliGard E series development. Since this was such a huge market for us we also focused a considerable amount of MAZ's resources on this project. PC DOCS was very excited about our development as they realized the potential it had to make their EDM software the most secure EDM software available, as no other EDM company had any file level encryption.
37. Lyon & Lyon was doing a major upgrade of their network and computer systems, and was installing the latest version of the PC DOCS EDMS. In June 1997 when we pitched Halpern on IntelliGard E, Halpern recognized the product he had long wanted and we immediately began negotiations on a sale to Lyon & Lyon. We offered IntelliGard E to Lyon & Lyon at a price of \$50 per PC. This was a discounted price -- we were hoping to use the installation at Lyon & Lyon as a showcase for our product.
39. The version of the IntelliGard E product that we first pitched and then sold to Lyon & Lyon included the following features:
  - a. The IntelliGard E software was installed on individual Windows-based PCs, along with the PC DOCS/SQL client. The PCs has other software, including Microsoft Word. The PC

DOCS EDMS was used to store the documents created and accessed through MS Word.

- b. If a user did a file-level access through Word (e.g., "open" "close," "save" or "save as"), the IntelliGard E software would trap the call and either encrypt or decrypt the document, depending on the type of call.
  - c. The IntelliGard E software tracked which documents were encrypted or needed to be encrypted/decrypted using a table in the PC DOCS EDMS. The table identified both the names of the documents and the names of the encryption/decryption keys for those documents. I think it is accurate to say that there was a direct association between document names and key names in the table.
  - d. The IntelliGard E software would use the key name in the table to obtain the appropriate key from the smart card. Then, depending on the type of event, the IntelliGard E software would automatically encrypt or decrypt the document using the key value.
  - e. The IntelliGard E software automatically passed control back to the PC DOCS EDMS so that the PC DOCS EDMS could complete the command.
6. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that there statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any patent issuing from Application No. 10/658,246.

Date: 4/8/06

  
\_\_\_\_\_  
Christopher W. Mahne

## **EXHIBIT M-1**

# Chris W. Mahne

9360 Flamingo Rd., Suite 110-179  
Las Vegas, NV 89147  
Direct 310-245-5125 Fax 321-256-8680

## PROFESSIONAL EXPERIENCE

### Skills & Experience

- Leadership in the **simultaneous development** of multiple **product rollouts** and **marketing** and **sales campaigns**.
- Rapid **sales growth** via effective **marketing** and **product launch** campaigns, through **VARs** and **telemarketing groups** both domestic and international.
- **Recruitment** and development of **strong management** teams.
- Collaboration with **technology-oriented-products** and **new emerging markets**, both **Internet** and **software related**
- Development of **major corporate alliances** and **partnerships** for, distribution, technology licensing, reseller and customer acquisition.
- **Distribution background** includes vertical markets, VARs & OEM, and Agent Call Centers.
- **Fund raising** and relationships with angel, venture and other sources of funding,
- **Strategic financial planning** and **market positioning**; business models and cost structure.
- Strong **creative savvy** and industry contacts,
- **Personal Strengths:** Driven, detail-oriented, self-starter, with practical business and early stage start up experience in a multitude of many different business facets. Business variety runs the gamut from, software, Internet, information services, gaming, healthcare, sports and music marketing, product creation, design, development, and launch; both domestic and international.

### President / CEO & Founder

MAZ Technologies, Inc.

June 1996 to Present

[www.maztechnologies.com](http://www.maztechnologies.com)

Company develops, licenses and markets the patented *IntelliGard*<sup>TM</sup> software technology worldwide. Structured company operations from its infancy.

- Built skilled and effective development teams working together on two coasts for product design and development.
- Conceived and developed product strategy to embrace and capitalize on the Enterprise Document Management (EDM) and Internet markets, launching worldwide product rollout and marketing campaigns.
- Identified, created, and promoted Reseller program both domestically and internationally to resell *IntelliGard*<sup>TM</sup> products.
- Developed strategic partnership relations with industry leaders; PC DOCS, Inc. (NASDAQ: DOCS), FileNET Corporation (NASDAQ: FILE) Documentum, Inc. (NASDAQ: DCTM) iManage, Inc. and Microsoft Corporation (NASDAQ: MSFT).
- Developed 74 patent claims surrounding a method for transparent encryption and decryption inside EDM software applications.
- Prepared business plans, presentations, and financial models used to introduce the company into the investment community and other strategic sources of finance and distribution.
- Invested and raised start up and seed capital for company formation and beta product.

### Consultant

RayTex Corp.

May 2001 to January 2003

Designed, negotiated, implemented and orchestrated multiple individual rollout sales and marketing programs for: [www.oraclesmallbusiness.com](http://www.oraclesmallbusiness.com), (previously known as [www.netledger.com](http://www.netledger.com)) and [www.ebenfits.com](http://www.ebenfits.com).

### Director, Business Development

Stamps.com, Inc.

April 2000 to March 2001

[www.stamps.com](http://www.stamps.com)

Company (NASDAQ: STMP) provides an easy to use web based mailing and shipping solution. Personally recruited by the CEO and Chairman; John Payne to leverage my skill set as Director of Business Development. Directed and managed all aspects of new customer acquisition, via channel and telemarketing sales. Responsibilities included developing business relationships, strengthening corporate partnerships, and ensuring contract compliance, along with developing new corporate strategy and company restructuring.

**President / CEO & Founder****Healthcare Recovery Services, LLC****May 1996 to Present**

*Company provides hospitals nationwide the ability to recover additional reimbursement revenue through company's state-of-the art retrospective Medicare reviews using proprietary methodologies and software. Financed company's start up, operations, and product launch. Developed sales and marketing strategies to recruit new hospital projects, these include one of the largest reimbursement programs in the state, encompassing over \$1 billion dollars in bond financing reimbursement review. Secured and negotiated hospital project contracts that have produced over \$1 million dollars in additional reimbursement revenues. Built skilled management team to run current daily operations.*

**President / CEO & Founder****EFX Imaging Corp.****January 1996 to April 1997**

*Company provided sales, marketing, product design and development for "Virtual Cards" used in product sports marketing promotions worldwide in Spain, negotiated through major international companies, such as El Mundo Deportivo, TV3, Barcelona Soccer Club and Adidas.*

**Partner, Investor, and Packager****USA Gaming, Inc.****April 1993 to March 1996**

*Packaged and personally financed over \$150,000 dollars to a Native American operated Indian gaming Management Company in 6 different locations. In March of 1994, the company was sold to United Gaming, Inc. (NASDAQ: UGAM current listing ALLY). Transaction was negotiated through Richard Rainwater's Kirkland Investment Corporation, a general partner of Kirkland-Ft. Worth Investment Partners, L.P and major shareholder of UGAM.*

**President / CEO & Founder****Equity Sportscards, Ltd. and MVP Marketing, Inc.****March 1992 to March 1996**

*Company sold sports memorabilia and trading cards through distribution channels that included Home Shopping Network, Shop at Home, the Sports Net via the Internet, and over 250 wholesale and retail dealers nationwide, including call centers nationwide.*

**Vice President of Marketing****Crown Roll Leaf, Inc.****January 1991 to March 1992**

*Largest worldwide producer of stamping foils and holographic materials. Pioneered the use of holograms as a cost-effective value-added product for documents, security, and product authentication, for such companies as Warner Bros. Records, Marvel Entertainment, Sony Music Corp, the US Mint, and Major League Baseball. Built sales organization to produce over \$10 million dollars in hologram sales in first 15 months. Created, managed, and promoted the largest holographic CD cover for Prince Diamonds and Pearls.*

**Vice President Sales & Marketing****National Marketing Group – MCI Fax****January 1989 to August 1990**

*Created national sales program via telemarketing centers nationwide to offer specialized fax service from MCI. Program produced over 250,000 customers in less than 12 months.*

## **EDUCATION**

**Kellogg Graduate School of Management, Northwestern University**, Executive Education, July 1997.

Art of Venturing: Entrepreneurship in Corporate and Independent Settings.

**Cornell University**, Bachelor of Science, Graduated 1988, Ithaca, New York.

Personally paid for 100% of education, Richard J. Bradley Scholarship, Dean's Fellowship and Life Loyal Sigma Chi.

**St. John's Military Academy**, College Preparatory, Graduated 1984, Delafield, Wisconsin.

Congressional Nomination United States Military Academy, West Point, NY.

*References Available Upon Request.*

# Exhibit M-11


Invoice for Upgrade to PC

DOCS Master Developer

Program

(June 1997)

Declaration of Christopher W. Mahne







Attn. Accounts Receivable  
25 Burlington Mall Road  
Burlington, MA 01803  
(617) 273-3800

I N V O I C E

Bill To:  
MAZ TECHNOLOGIES  
17900 SKYPARK CIRCLE STE.106  
IRVINE CA 92614

Ship To:  
MAZ TECHNOLOGIES  
17900 SKYPARK CIRCLE STE.106  
IRVINE CA 92614

INVOICE# DATE ORDER# DATE CUST.# CUSTOMER P.O. # TERMS SALESPERSON  
25724 06/27/97 23113 06/27/97 100394 CHECK NET 30 DAYS 13  
A- MAZ TECHNOLOGIES U.P.S.

QUANTITY	U/M	ITEM/DESCRIPTION	DISC	UNIT PRICE	AMOUNT
1	EA	DP-MASTERFEE MASTER DEVELOPER PROGRAM FEE Includes Docs Open w\ Watcom SQL and Do-It Toolkit		1600.000	1,600.00
6	EA	1503-N ENTERPRISE SUITE CLIENT W/ NT		0.000	.00
1	EA	2500E1-N ENTERPRISE SUITE SERVER LICENSE W/NT (1-100 USERS)		0.000	.00
1	EA	1612 CYBERDOCS-WEB ACCESS TO DOCS OPEN		0.000	.00
1	EA	1606 DOCS OPEN INTEGRATION TOOLKIT ENTERPRISE EDITION		0.000	.00
1	EA	1603 DOCS-UNPLUGGED/WORKSTATION ORDERED AFTER INITIAL ORDER FOR DOCS OPEN/ENTERPRISE SUITE		0.000	.00
6	EA	3425 1 YEAR SSS FOR ENTERPRISE SUITE 7/1/97-6/30/98		0.000	.00
1	EA	3530 (Continued on Page 2)		0.000	.00

MAZ  
pl ch 1064  
6/23/97



Attn: Accounts Receivable  
25 Burlington Mall Road  
Burlington, MA 01803  
(617) 273-3800

I N V O I C E

Bill To:  
MAZ TECHNOLOGIES  
17900 SKYPARK CIRCLE STE.106  
IRVINE CA 92614

INVOICE# DATE ORDER# DATE CUST.# CUSTOMER P.O. # TERMS SALESPERSON  
25724 06/27/97 23113 06/27/97 100394 CHECK NET 30 DAYS 13  
A- MAZ TECHNOLOGIES U.P.S.


QUANTITY	U/M	ITEM/DESCRIPTION	DISC	UNIT PRICE	AMOUNT
(Page 2)					
1 YEAR SSS FOR ENTERPRISE SUITE CLIENT WITH 7/1/97-6/30/98					
1	EA	3410 1 Year SSS FOR DOCS-UNPLUGGED 7/1/97-6/30/98		0.000	.00
1	EA	3415 1 Year SSS -DOCS DO-IT Toolkit ENTERPRISE EDITION 7/1/97-6/30/98		0.000	.00
1	EA	3422 1 YEAR SSS FOR CYBERDOCS 7/1/97-6/30/98		0.000	.00
SO# 22742 ID# 11729 PAID BY CHECK# 1064					
Subtotal					1,600.00
Total Due					1,600.00

\*\*\*\*PLEASE INCLUDE INVOICE # AND CUSTOMER # WITH  
\*\*\*\*REMITTANCE.\*\*\*\*

# Exhibit M-12

## Letter and Check for Upgrade to PC DOCS Master Developer Program (June 1997)

Declaration of Christopher W. Mahne



# MazTechnologiesInc.

2030 Main Street, Suite 1300

Irvine, California 92714

Tel 714 475-0130 Fax 714 475-0131

Monday, June 23, 1997

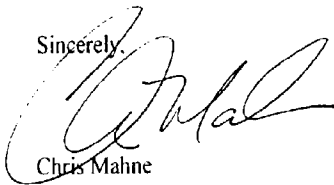
Corin Murphy  
PC DOCS, Inc.  
25 Burlington Mall Road  
Burlington, MA 01803

Dear Corin:

Please find the enclosed check for \$1600 to upgrade our status from Basic Developer to Master Developer. I checked our files and you should have all of the necessary information to complete the process. I will be contacting you Wednesday the 25th to further discuss the upgrade. In the meantime if you have any questions please feel free to contact me 714-475-0130 extension 110.



Sincerely,



Chris Mahne  
President  
enclosures  
CM:sb

MAZ TECHNOLOGIES, INC.  
PC DOCS

6/23/97

1064  
1,600.00

Sanwa - checking      Master Developer

1,600.00

MAZ TECHNOLOGIES, INC.  
PC DOCS

6/23/97

1064  
1,600.00

Sanwa - checking      Master Developer

1,600.00

**1 From (please print)**  
 Date 6-23-97 Sender's FedEx Account Number 2114-8401-2  
 Sender's Name Chris Mahne Phone (714) 475-0129  
 Company MAZ TECHNOLOGIES  
 Address 2030 MAIN ST STE 1300  
 City IRVINE State CA Zip 92714  
**2 Your Internal Billing Reference Information**  
 (Optional) (First 74 characters will appear on invoice) Master Developer

**3 To (please print)**  
 Recipient's Name Corin Murphy Phone (617) 273-3800  
 Company PC DOCS  
 Address 25 Burlington Mall Road  
 (To "HOLD" at FedEx location, print FedEx address here) (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes)  
 City Burlington State MA Zip 01803  
 For ☐ **Hold Weekday** (Not available with FedEx First Overnight)  
☐ **Hold Saturday** (Not available with FedEx First Overnight or FedEx Standard Overnight)  
 For Saturday Delivery check here  
☐ (Extra Charge. Not available to all locations) (Not available with FedEx First Overnight or FedEx Standard Overnight)

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☐ FedEx First Overnight (Earliest next business morning delivery to select locations)  
 \*FedEx Letter Rate not available. Minimum charge: One pound FedEx 2Day rate.  
**4b Express Freight Service** Packages over 150 lbs. Delivery commitment may be later in some areas.  
☐ FedEx Overnight Freight (Next business-day service for any distance) ☐ FedEx 2Day Freight (Second business-day service for any distance) ☐ FedEx Express Saver Freight (Up to 3 business-day service based upon distance)  
 (Call for delivery schedule. See back for detailed descriptions of freight products.)  
**5 Packaging** ☒ FedEx Letter (Declared value limit \$500) ☐ FedEx Pak ☐ FedEx Box ☐ FedEx Tube ☐ Other Pkg.  
**6 Special Handling**  
 Does this shipment contain dangerous goods? ☐ Yes (Use per attached Shipper's Declaration) ☐ Yes (Shipper's Declaration not required)  
☐ Dry Ice (Dry Ice 9, UN 1845 III) (Dangerous Goods Shipper's Declaration not required) ☐ CA Cargo Aircraft Only  
**7 Payment**  
 Bill to: ☐ Sender (Account no. in section 7 will be billed) ☐ Recipient (Enter FedEx account no. or Credit Card no. below) ☐ Third Party ☐ Credit Card ☐ Cash/Check  
 FedEx Account No. \_\_\_\_\_ Exp. Date \_\_\_\_\_  
 Credit Card No. \_\_\_\_\_  

Total Packages	Total Weight	Total Declared Value*	Total Charges
		\$ .00	\$

 \*When declaring a value higher than \$100 per shipment, you pay an additional charge. See SERVICE CONDITIONS, DECLARED VALUE AND LIMIT OF LIABILITY section for further information.  
**8 Release Signature**  
 Your signature authorizes Federal Express to deliver this shipment without obtaining a signature and agrees to indemnify and hold harmless Federal Express from any resulting claims.

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